

1 Attorneys for JAMES JAY STOFFEL, Bar No. 83947
2 Beberman, Stoffel & Beberman
3 7676 Hazard Center Drive, Suite 850
4 San Diego, California 92108
5 (619) 297-4800

6 Attorneys for SONG HYE RAMBOLDT

7
8 UNITED STATES BANKRUPTCY COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 IN RE:

12 HUNG VAN LAM and ANNA DAO
13 TRAN,

14 Debtors.

15
16 SONG HYE RAMBOLDT,

17 Moving Party,

18 v.

19 HUNG VAN LAM, ANNA DAO TRAN
20 and THOMAS H. BILINGSLEA, Chapter
21 13 Trustee,

22 Respondents.

) CASE NO. 12-10811-LT13
) CHAPTER 13

) RS. NO. JJS-1

) **EMERGENCY MOTION.**

) **DECLARATION OF SONG HYE**
) **RAMBOLDT IN SUPPORT OF**
) **EX PARTE APPLICATION FOR ORDER**
) **SHORTENING TIME ON HEARING**
) **DATE FOR MOTION FOR**
) **DECLARATORY RELIEF THAT**
) **THERE IS NO AUTOMATIC STAY IN**
) **EFFECT**

23 I, SONG HYE RAMBOLDT, declare as follows:

24 1. I am an adult, a resident of the County of San Diego, and if called to witness I could
25 competently testify to the following:

26 2. The above-entitled Chapter 13 Bankruptcy Petition was filed on August 1, 2012, Case
27
28

1 No 12-10811-LT13, in the Southern District of California, and is the third bankruptcy filing by
2 these same debtors within the last year.

3 3. I, Song Hye Ramboldt, am a secured creditor and the judgment creditor on a judgment
4 entered in the Superior Court Case No. 37-2007-00083706-CU-BC-CTL against Hung Van Lam,
5 an individual and Anna Dao Tran, an individual. The judgment was entered in favor of Song
6 Hye Ramboldt on February 10, 2009 in the principal amount of \$502,224.98. On May 12, 2011,
7 a writ of execution was issued by the San Diego Superior Court for a total judgment amount,
8 including interest after judgment in the amount of \$657,999.80.
9

10 4. My attorney recently caused the San Diego Sheriff to record two Notices of Levy on
11 two Parcels of agriculture property owned by the debtors in an attempt to collect on my
12 judgment.
13

14 5. The instant bankruptcy filed by Hung Van Lam and Anna Dao Tran, Case No. 12-
15 0811-LT, filed on August 1, 2012, is their third bankruptcy filing within one year's time. There
16 were two previous filings: a Chapter 13, Case No. 11-12291-LT13 was filed by Hung Van Lam
17 and Anna Dao Tran on 7/26/11 and dismissed on 9/22/11. A Chapter 7, Case No. 11-15203-
18 LT7, was filed by Hung Van Lam and Anna Dao Tran on 9/12/11 and dismissed on 12/13/11.
19

20 6. The latest Chapter 13 Bankruptcy Case No. 12-10811-LT13 filed August 1, 2012 was
21 filed solely for the purpose of delaying the inevitable Sheriff's sale; to delay the collection on my
22 judgment, and to allow the judgment debtors to harvest the persimmon crop.
23

24 ///

25 ///

26 ///

1 7. Moving party is submitting this application for an order shortening time to obtain a
2 court order declaring that there is in fact no bankruptcy automatic stay in effect so she can
3 proceed with the sheriff's sale of the two properties.
4

5 I declare under penalty of perjury under the laws of the State of California and the United
6 States of America that the foregoing is true and correct.

7 Executed this 22nd, day of August, 2012 at San Diego, California.

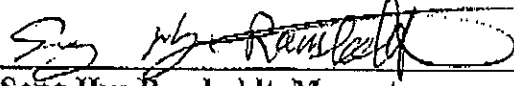
8
9 
10 Song Hye Ramboldt, Movant

EXHIBIT “5”

EJ-001

Doc # 2011-0313958



JUN 21, 2011 9:22 AM

 OFFICIAL RECORDS
 SAN DIEGO COUNTY RECORDER'S OFFICE
 Ernest J. Dronenburg, Jr., COUNTY RECORDER
 FEES: 25.00

NOTICES: 1

PAGES: 2



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, telephone number), ss, State Bar number, and

Recording requested by and return to:

RAYMOND A. MARRERO (Bar # 195220)

RAYMOND A. MARRERO, APC

5694 MISSION CENTER RD, STE 602-488

SAN DIEGO, CA 92108

(858) 427-4969 FAX NO.: (858) 408-3435

☒ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 W. BROADWAY

MAILING ADDRESS:

CITY AND ZIP CODE: SAN DIEGO 92101

BRANCH NAME: CENTRAL DIVISION

PLAINTIFF: SONG HYE RAMBOLDT

DEFENDANT: HUNG VAN LAM AND ANNA DAO TRAN

CASE NUMBER:

37-2007-00083706-CU-BC-CTL

 ABSTRACT OF JUDGMENT—CIVIL
 AND SMALL CLAIMS
☐ Amended

FOR COURT USE ONLY

1. The ☒ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:
- a. Judgment debtor's

Name and last known address

 HUNG VAN LAM
 30570 N. RIVER ROAD
 BONSALL, CA 92003

- b. Driver's license no. [last 4 digits] and state: ☒ Unknown
- c. Social security no. [last 4 digits]: xxx-xx-6370 ☐ Unknown
- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): HUNG VAN LAM
30570 N. RIVER ROAD, BONSALL, CA 92003

2. ☒ Information on additional judgment debtors is shown on page 2.

3. Judgment creditor (name and address):

Song Hye Ramboldt

1510 S. Coast Highway, Oceanside, CA 92054-5355

Date: February 7, 2011

RAYMOND A. MARRERO

(TYPE OR PRINT NAME)

4. ☐ Information on additional judgment creditors is shown on page 2.

5. ☐ Original abstract recorded in this county:

a. Date:

b. Instrument No.:

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 504,224.98

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): February 11, 2009
b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

10. ☐ An ☐ execution lien ☐ attachment lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

11. A stay of enforcement has

a. ☒ not been ordered by the court.b. ☐ been ordered by the court effective until (date):

12. a. ☒ I certify that this is a true and correct abstract of the judgment entered in this action.

b. ☐ A certified copy of the judgment is attached.

This abstract issued on (date):

JUN 13 2011

Clerk, by Wynnie S. Abella, Deputy

 ABSTRACT OF JUDGMENT—CIVIL
 AND SMALL CLAIMS

7471

PLAINTIFF: SONG HYE RAMBOLDT	CASE NUMBER:
DEFENDANT: HUNG VAN LAM AND ANNA DAO TRAN	37-2007-00083706-CU-BC-CTL

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15. ☐ Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

ANNA DAO TRAN
30570 N. RIVER ROAD
BONSALL, CA 92003

Driver's license no. [last 4 digits]
and state:

☒ Unknown

Social security no. [last 4 digits]: xxx-xx-7537 ☐ Unknown

Summons was personally served at or mailed to (address):

ANNA DAO TRAN
30570 N. RIVER ROAD
BONSALL, CA 92003

17. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

18. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]: ☐ Unknown

Summons was personally served at or mailed to (address):

19. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

20. ☐ Continued on Attachment 20.

EXHIBIT “6”

DOC # 2012-0402816

RECORDING REQUESTED BY:
SHERIFF OF SAN DIEGO COUNTY

When recorded, please return to:

Sheriff's Office

Mail Station: C-26

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JUL 11, 2012 2:28 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 36.00

10465

PAGES: 8

- ☒ NOTICE OF LEVY
- ☒ WRIT OF EXECUTION
- ☐ WRIT OF SALE
- ☐ NOTICE OF ATTACHMENT
- ☐ WRIT OF ATTACHMENT

Song Hye Ramboldt
Plaintiff

vs

Hung Van Lam, an individual and Anna Dao Tran
Defendant

37-2007-00083706
Court Case Number

2012164106
Sheriff's File Number

126-250-21-00
Assessor's Parcel Number

C-24 (8/30/2011)

RaM

Public Record

Order: 5905668 Doc: SD:2012 00402816

10467

SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.
Song Hye Ramboldt vs. Hung Van Lam, an Individual and Ann	2012164108	37-2007-00083706

- INFORMATION FOR JUDGMENT DEBTOR -

1. The levying officer is required to take custody of the property described in Item 1 in your possession or under your control.
2. You may claim any available exemption for your property. A list of exemptions is attached. If you wish to claim an exemption for personal property, you must do so within 10 days after this notice was delivered to you or 15 days after this notice was mailed to you by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.
3. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
4. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
5. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
6. All sales at an execution sale are final; there is no right of redemption.

- INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR -

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to sections 720.010-720.800 of the Code of Civil Procedure.
4. Make checks payable to the levying officer.

ATTACHMENT A

10468

PLAINTIFF: Enter the Plaintiff's name here SONG HYE RAMBOLDT
DEFENDANT: Enter the Defendant's name here HUNG VAN LAM and ANNA DAO TRAN
CASE NUMBER: Enter the case number here 37-2007-00083706 CU-BC-CTL

JUDGMENT DEBTOR(S)/DEFENDANT(S) (whose interest in the real property is being levied/attached):
Enter the name(s) of all judgment debtor(s)/defendant(s) whose interest in the real property is being levied /attached

HUNG VAN LAM and ANNA DAO TRAN

THIRD PARTY RECORD OWNERS: NONE
Enter the name(s) of all third party record owners

COMMON STREET ADDRESS. (if any): N/A

ASSESSOR'S PARCEL NUMBER: Enter the APN here 126-250-21-00

LEGAL DESCRIPTION:
Enter legal description here: SEE : EXHIBIT A

10469

EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situated in the County of San Diego, State of California, described as follows:

Parcel A:

Parcel 3 of Parcel Map No. 15405, in the County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, October 6, 1988.

Parcel B:

An easement 60.00 feet in width for road and utility purposes and incidentals thereto over that portion of the Northwest quarter of Section 31 and the Southwest quarter of Section 30, both in Township 10 South, Range 3 West, San Bernardino Meridian, in the County of San Diego, State of California, according to official plat thereof, described as follows:

Beginning at a point in the Southerly line of Parcel 1 above, distant thereon North 88° 23' 49" East 45.09 feet from point "A" in said Parcel 1; thence South 5° 15' 00" East a distance of 161.91 feet to the beginning of a tangent 845.00 foot radius curve, concave Westerly; thence Southerly along the arc of said curve through a central angle of 31° 13' 00" a distance of 460.38 feet; thence tangent to said curve South 25° 58' 00" West, a distance of 553.34 feet; thence South a distance of 199.14 feet to a point on a line that is parallel with and distant North 30.86 feet from the Southerly line of land described in Parcel 3 of the deed to Title Insurance and Trust Company described in Parcel 1 above; thence along said parallel line, North 76° 25' 04" West a distance of 61.73 feet; thence North a distance of 198.47 feet; thence North 25° 58' 00" East a distance of 567.17 feet to the beginning of a tangent 785.00 foot radius curve concentric with the hereinbefore described 845.00 foot radius curve, concave Westerly; thence Northerly along the arc of said curve through a central angle of 31° 13' 00" a distance of 427.69 feet; thence tangent to said curve North 5° 15' 00" West a distance of 165.74 feet to a line that bears South 88° 23' 49" West from the point of beginning; thence North 88° 23' 49" East 60.12 feet to the point of beginning.

Parcel C:

An easement and right of way for road and utility purposes over, under, along and across that portion of Parcel 1 of Parcel Map No. 15405, in the county of San Diego, state of California, filed in the office of the County Recorder of said San Diego County, October 6, 1988 as File No. 88-509581 of Official Records, the Southerly, Southwesterly and Southeasterly line of a 15.00 foot strip being described as follows:

Commencing at the Southwesterly corner of said Parcel 1; thence following the Southerly boundary thereof North 87° 50' 40" East 306.00 feet; thence North 88° 45' 16" East 330.26 feet true point of beginning; thence continuing along said Southerly boundary South 87° 37' 26" East 269.47 feet; thence South 22° 51' 57" West 29.73 feet; thence North 41° 25' 55" East 42.48 feet to the terminus thereof, said easement to be prolonged or shortened so as to terminate on the West in a line which bears North 2° 45' 16" West from said true point of beginning, and on the East in a Line which bears North from the terminus thereof.

Parcel D:

An easement and right of way for road and utility purposes over, under, along and across that portion of Parcel 1 of Parcel Map No. 15405, in the County of San Diego, state of California, filed in the office of the County Recorder of said San Diego County, October 6, 1988 as File No. 88-509581 of Official Records, the Southerly, Southwesterly, Westerly and Northwesterly boundary, a strip of land 12.00 feet in width being described as follows:

Beginning at an angle point in the boundary of said Parcels 1 and 2. of said parcel which bears North 88° 23' 49" East and South 39° 19' 39" East; thence leaving said angle point along the boundary of said Parcels 1 and 2, North 7° 53' 12" East 114.86 feet to the beginning of a tangent 100.00 foot radius curve concave Southwesterly; thence Northeasterly along the arc of said curve through a central angle of 57° 28' 27" a distance of 100.31 feet to the beginning of a reverse 60.00 foot radius curve concave Northwesterly; thence Northeasterly along the arc of said curve through a central angle of 54° 28' 05" a distance of 57.04 feet; thence North 0° 05' 16" East 141.11 feet to the beginning of a tangent 100.00 foot radius curve concave Southwesterly, thence Northwesterly along the arc of said curve through a central angle of 38° 41' 00" a distance of

EXHIBIT A
(Continued)

10470

67.52 feet; thence tangent to said curve North 50° 01' 40" West 74.16 feet; thence West 359.61 feet to the terminus thereof, said easement to be prolonged or shortened so as to terminate on the West in a line which bears North from the terminus of said easement, and on the South in a line which bears South 39° 19' 39" East from the true point of beginning.

Parcel E:

An easement and right of way for road purposes over, along and across that portions of Parcels 2, 3 and 4 of Parcel Map No. 15405, in the County of San Diego, State of California, filed in the Office of the County Recorder of said San Diego county, October 6, 1988 as File No. 88-509581 of Official Records, designated and delineated on said Parcel Map as "Proposed 40' Private Road Easement".

Excepting therefrom that portion lying within parcel a hereinabove described.

Assessor's Parcel Number: 126-250-21-00

EXHIBIT “7”

DOC # 2012-0402854



RECORDING REQUESTED BY:
SHERIFF OF SAN DIEGO COUNTY

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JUL 11, 2012 2:37 PM

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Ernest J. Dronenburg, Jr., COUNTY RECORDER
FEES: 36.00

10622

PAGES: 8



- ☒ NOTICE OF LEVY
- ☒ WRIT OF EXECUTION
- ☐ WRIT OF SALE
- ☐ NOTICE OF ATTACHMENT
- ☐ WRIT OF ATTACHMENT

Song Hye Ramboldt
Plaintiff

vs

Hung Van Lam, an individual and Anna Dao Tran
Defendant

37-2007-00083706
Court Case Number

2012164106
Sheriff's File Number

126-250-22-00
Assessor's Parcel Number

C-24 (8/30/2011)

RaM

Public Record

10623

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) <input type="checkbox"/> Recording requested by and return to Beberman, Stoffel & Beberman 7676 Hazard Ctr Dr Ste 500 San Diego, CA 92108		TELEPHONE NO. (619) 297-4800	FOR RECORDER'S USE ONLY
ATTORNEY FOR (Name): Song Hye Ramboldt		LEVYING OFFICER (Name and Address): San Diego County Sheriff's Office San Diego County Sheriff Sheriff's Civil Office P.O. Box 85306 San Diego, CA 92186-5306	
NAME OF COURT San Diego County Superior Court STREET ADDRESS 330 W Broadway MAILING ADDRESS CITY AND ZIP CODE San Diego, CA 92101 BRANCH NAME San Diego - Hall of Justice			
PLAINTIFF: Song Hye Ramboldt DEFENDANT: Hung Van Lam, an individual and Anna Dao Tran			
NOTICE OF LEVY <input type="checkbox"/> Possession under Writ of <input checked="" type="checkbox"/> Execution (Money Judgment) <input type="checkbox"/> Sale			LEVYING OFFICER FILE NO.: 2012164106 COURT CASE NO.: 37-2007-00083705

TO THE PERSON NOTIFIED (name): **San Diego County Recorder**
1600 Pacific Hwy Ste 260
San Diego, CA 92101

1. The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:

a. judgment debtor (name): **Hung Van Lam (SSN Unknown), Anna Dao Tran (SSN Unknown)**

b. the property to be levied upon is described

☐ in the accompanying writ of possession or writ of sale.

☒ as follows:

See Attachment A

2. The amount necessary to satisfy the judgment creditor's judgment is (specify total amount due under the writ less partial satisfactions plus daily interest from the date of the writ until the date of levy):

\$ 664,963.78

(The total amount due is greater than that shown because of accruing interest, Sheriff's Assessment Fees, and/or costs. Contact the Sheriff's office for the total daily payoff amount.)

3. You are notified as

a. ☐ a judgment debtor.

b. ☒ a person other than the judgment debtor (state capacity in which person is notified): **Garnishee**

4. **Record Owner: Green Island Family Revocable Trust, dated 11/15/2011 Tyy Ai Lan, Trustee**
 (Read Information for Judgment Debtor or Information for Person Other Than Judgment Debtor on reverse.)

Notice of Levy was

☐ mailed on (date):

☐ delivered on (date):

☐ posted on (date):

☐ filed on (date):

☒ recorded on (date): **7/11/12**

Signed by: **Sheriff's Authorized Agent**

William D. Gore

Sheriff

☒ Levying officer

☐ Registered process server

(Continued on reverse)

Levy-Real Property - (ORIGINAL)

Form Approved by the
Judicial Council of California
EJ-150 (Rev. January 1, 1995)

NOTICE OF LEVY
(Enforcement of Judgment)

WEST GROUP
Official Publisher

CCP 692 \$40

562709

RaM

Public Record

SHORT TITLE:	LEVYING OFFICER FILE NO	COURT CASE NO
Song Hye Ramboldt vs. Hung Van Lam, an Individual and Ann	2012164106	37-2007-00083706

- INFORMATION FOR JUDGMENT DEBTOR -

1. The levying officer is required to take custody of the property described in item 1 in your possession or under your control.
2. You may claim any available exemption for your property. A list of exemptions is attached. If you wish to claim an exemption for personal property, you must do so within 10 days after this notice was delivered to you or 15 days after this notice was mailed to you by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.
3. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
4. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
5. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
6. All sales at an execution sale are final; there is no right of redemption.

- INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR -

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to sections 720.010-720.800 of the Code of Civil Procedure.
4. Make checks payable to the levying officer.

ATTACHMENT A

PLAINTIFF: Enter the Plaintiff's name here SONG HYE RAMBOLDT
DEFENDANT: Enter the Defendant's name here HUNG VAN LAM and ANNA DAO TRAN
CASE NUMBER: Enter the case number here 37-2007-00083706 CU-BC-CTL

JUDGMENT DEBTOR(S)/DEFENDANT(S) (whose interest in the real property is being levied/attached):
Enter the name(s) of all judgment debtor(s)/defendant(s) whose interest in the real property is being levied
/attached

HUNG VAN LAM and ANNA DAO TRAN

THIRD PARTY RECORD OWNERS: YES

Enter the name(s) of all third party record owners

NAME: GREEN ISLAND FAMILY REVOCABLE TRUST, dated .
11/15/2011 Ty Ai Lan, Trustee

ADDRESS: 30570 North River Road
Bonsall, CA 92003

ASSESSOR'S PARCEL NUMBER: Enter the APN here 126-250-22-00

LEGAL DESCRIPTION:
Enter legal description here: SEE EXHIBIT A

10626

EXHIBIT A

LEGAL DESCRIPTION

All that certain real property situated in the County of San Diego, State of California, described as follows:

PARCEL A:

PARCEL 4 OF PARCEL MAP NO. 15405, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 6, 1988.

PARCEL B:

AN EASEMENT 60.00 FEET IN WIDTH FOR ROAD AND UTILITY PURPOSES AND INCIDENTALS. THERETO OVER THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 31 AND THE SOUTHWEST QUARTER OF SECTION 30, BOTH IN TOWNSHIP 10 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF PARCEL 1 ABOVE, DISTANT THEREON NORTH 88° 23' 49" EAST 45.09 FEET FROM POINT "A" IN SAID PARCEL 1; THENCE SOUTH 5° 15' 00" EAST A DISTANCE OF 161.91 FEET TO THE BEGINNING OF A TANGENT 845.00 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 31° 13' 00" A DISTANCE OF 460.38 FEET; THENCE TANGENT TO SAID CURVE SOUTH 25° 58' 00" WEST, A DISTANCE OF 553.34 FEET; THENCE SOUTH A DISTANCE OF 199.14 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND DISTANT NORTH 30.86 FEET FROM THE SOUTHERLY LINE OF LAND DESCRIBED IN PARCEL 3 OF THE DEED TO TITLE INSURANCE AND TRUST COMPANY DESCRIBED IN PARCEL 1 ABOVE; THENCE ALONG SAID PARALLEL LINE, NORTH 76° 25' 04" WEST A DISTANCE OF 61.73 FEET; THENCE NORTH A DISTANCE OF 198.47 FEET; THENCE NORTH 25° 58' 00" EAST A DISTANCE OF 567.17 FEET TO THE BEGINNING OF A TANGENT 785.00 FOOT RADIUS CURVE CONCENTRIC WITH THE HEREINBEFORE DESCRIBED 845.00 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31° 13' 00" A DISTANCE OF 427.69 FEET; THENCE TANGENT TO SAID CURVE NORTH 5° 15' 00" WEST A DISTANCE OF 165.74 FEET TO A LINE THAT BEARS SOUTH 88° 23' 49" WEST FROM THE POINT OF BEGINNING; THENCE NORTH 88° 23' 49" EAST 60.12 FEET TO THE POINT OF BEGINNING.

PARCEL C:

AN EASEMENT AND RIGHT OF WAY FOR ROAD AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL 1 OF PARCEL MAP 15405, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, OCTOBER 6, 1988 AS FILE NO. 88-509581 OF OFFICIAL RECORDS, THE SOUTHERLY, SOUTHWESTERLY AND SOUTHEASTERLY LINE OF A 15.00 FOOT STRIP BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE FOLLOWING THE SOUTHERLY BOUNDARY THEREOF NORTH 87° 50' 40" EAST 306.00 FEET; THENCE NORTH 88° 45' 16" EAST 330.26 FEET TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY SOUTH 87° 37' 26" EAST 269.47 FEET; THENCE SOUTH 22° 51' 57" WEST 29.73 FEET; THENCE NORTH 41° 25' 55" EAST 42.48 FEET TO THE TERMINUS THEREOF, SAID EASEMENT TO BE PROLONGED OR SHORTENED SO AS TO TERMINATE ON THE WEST IN A LINE WHICH BEARS NORTH 2° 45' 16" WEST FROM SAID TRUE POINT OF BEGINNING, AND ON THE EAST IN A LINE WHICH BEARS NORTH FROM THE TERMINUS THEREOF.

PARCEL D:

AN EASEMENT AND RIGHT OF WAY FOR ROAD AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL 1 OF PARCEL MAP 15405, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, OCTOBER

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EXHIBIT A
(Continued)

6, 1988 AS FILE NO. 88-509581 OF OFFICIAL RECORDS, THE SOUTHERLY, SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY BOUNDARY, A STRIP OF LAND 12.00 FEET IN WIDTH BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE BOUNDARY OF SAID PARCELS 1 AND 2 OF SAID PARCEL WHICH BEARS NORTH 88° 23' 49" EAST AND SOUTH 39° 19' 39" EAST; THENCE LEAVING SAID ANGLE POINT ALONG THE BOUNDARY OF SAID PARCELS 1 AND 2, NORTH 7° 53' 12" EAST 114.86 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH CENTRAL ANGLE OF 57° 28' 27" A DISTANCE OF 100.31 FEET TO THE BEGINNING OF A REVERSE 60.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54° 28' 05" A DISTANCE OF 57.04 FEET; THENCE N 0° 05' 16" EAST 141.11 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38° 41' 00" A DISTANCE OF 67.52 FEET; THENCE TANGENT TO SAID CURVE NORTH 50° 01' 40" WEST 74.16 FEET; THENCE WEST 359.61 FEET TO THE TERMINUS THEREOF, SAID EASEMENT TO BE PROLONGED OR SHORTENED SO AS TO TERMINATE ON THE WEST IN A LINE WHICH BEARS NORTH FROM THE TERMINUS OF SAID EASEMENT, AND ON THE SOUTH IN A LINE WHICH BEARS SOUTH 39° 19' 39" EAST FROM THE TRUE POINT OF BEGINNING.

PARCEL E:

AN EASEMENT FOR PRIVATE ROAD PURPOSES, OVER THOSE PORTIONS OF PARCELS 2 AND 3 OF PARCEL MAP NO. 15405, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 6, 1988, SHOWN AND DELINEATED ON SAID PARCEL MAP AS "PROPOSED 40' PRIVATE ROAD EASEMENT".

Assessor's Parcel Number: 126-250-22-00